

Amendment No. 2 to SB2665

Beavers
Signature of Sponsor

AMEND Senate Bill No. 2665

House Bill No. 2752*

By deleting subdivision (b)(2) and (b)(3) of the first new SECTION___ added by Amendment # 016045 and substituting instead the following:

(2) Notwithstanding the provisions of § 40-33-211, after reimbursement for all litigation expenses incurred by the district attorney general that were incident to the litigation and approved by the court as authorized by §39-11-713(a), the clerk of the court where the forfeiture occurs shall transmit fifteen percent (15%) of the remaining proceeds from all forfeitures made pursuant to this section for offenses occurring on or after July 1, 2010, to the law enforcement agency conducting the investigation that resulted in the seizure to be used for law enforcement purposes involving child abuse detection, enforcement and prosecution and fifteen percent (15%) of such proceeds to the district attorneys general conference for child abuse prosecutions and training for asset forfeitures under this section. The clerk shall transmit the remainder of the funds to the department of finance and administration for deposit in the child abuse fund created by subdivision (1) of this subsection (b), to be allocated through the general appropriations act.

(3) The child abuse fund shall be used to fund the activities and organizations authorized by this section and the reversion provisions of subdivision (1) shall apply to subdivision (2) and (3) of this subsection as well. The department shall distribute these funds in accordance with department policies and procedures. Moneys from the fund shall be allocated by the department in the following manner:

(A) Forty-five percent (45%) to the state chapter of Children's Advocacy Centers for the purpose of providing training, support, technical assistance and leadership to local child advocacy centers throughout the state;

(B) Twenty-seven and one-half percent (27.5%) to the Court Appointed Special Advocates for the purpose of expanding services of existing programs and developing new programs; and

(C) Twenty-seven and one-half percent (27.5%) to Prevent Child Abuse Tennessee for the purpose of statewide child abuse prevention programs and activities.

FURTHER AMEND by deleting subdivision (b)(2) and (b)(3) of the second new SECTION____ added by Amendment # 016045 and substituting instead the following

(b)

(2) Notwithstanding the provisions of § 40-33-211, after reimbursement for all litigation expenses incurred by the district attorney general that were incident to the litigation and approved by the court as authorized by §39-11-713(a), the clerk of the court where the forfeiture occurs shall transmit fifteen percent (15%) of the remaining proceeds from all forfeitures made pursuant to this section for offenses occurring on or after July 1, 2010, to the law enforcement agency conducting the investigation that resulted in the seizure to be used for law enforcement purposes involving child abuse detection, enforcement and prosecution and fifteen percent (15%) of such proceeds to the district attorneys general conference for child abuse prosecutions and training for asset forfeitures under this section. The clerk shall transmit the remainder of the funds to the department of finance and administration for deposit in the child abuse fund created by subdivision (1) of this subsection (b), to be allocated through the general appropriations act.

(3) The child abuse fund shall be used to fund the activities and organizations authorized by this section and the reversion provisions of subdivision (1) shall apply to this subdivision and subdivision (2) as well. The department shall distribute these funds in accordance with department policies and procedures. Moneys from the fund shall be allocated by the department in the following manner:

(A) Forty-five percent (45%) to the state chapter of Children's Advocacy Centers for the purpose of providing training support, technical assistance and leadership to local child advocacy centers throughout the state;

(B) Twenty-seven and one-half percent (27.5%) to the Court Appointed Special Advocates for the purpose of expanding services of existing programs and developing new programs; and

(C) Twenty-seven and one-half percent (27.5%) to Prevent Child Abuse Tennessee for the purpose of statewide child abuse prevention programs and activities.